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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/085,755	05/27/98	ELLIS, III	F GNC12US

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EXAMINER

EDELEMAN, B

ART UNIT

PAPER NUMBER

2757

DATE MAILED:

11/29/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/085,755

Applicant(s)

Frampton

Examiner

Bradley Edelman

Group Art Unit

2757



☒ Responsive to communication(s) filed on May 27, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1035 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-8 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-8 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on May 27, 1998 is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2, 5, & 7

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Drawings

1. The drawings are objected to because they are extremely difficult to read. On most pages, the drawings are too close together to easily tell apart, and they are often out of order and difficult to find when referred to by the specification. Correction is required.
2. The drawings are objected to under 37 CFR 1.83(a) because they fail to show adequate diagram labels as described in the specification. It is necessary to add appropriate labels or legends to the figures. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Correction is required.
3. The drawings are objected to under 37 CFR 1.84(h)(5) because they show modified forms of construction in the same view. According to page 41 of the specification for figure 10A, object 62 is both a floppy diskette (line 6), a hard drive (line 16), and a floppy drive (line 16), and object 63 is both CD-ROM and read/write CD-ROM. According to page 45 of the specification for figure 10D, object 3 is both a network computer and the Internet (line 10). Correction is required for these two examples, and for all other similar cases in the drawing and specification.

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Specification

4. The specification is objected to because of the following informality:

The claims must begin with a phrase such as "I claim", or "We claim".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1-8 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification, as originally filed, fails to adequately teach how the master computer would subdivide an operation into two parts for use in the parallel processing system such as recited in claim 1.

7. The following is a quotation of the fourth paragraph of 35 U.S.C. 112:

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Subject to the following paragraph, a claim in dependent form shall contain a reference to a claim previously set forth and then specify a further limitation of the subject matter claimed. A claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers.

8. Claims 2-3 and 4-5 are rejected under 35 U.S.C. 112, fourth paragraph, for failing to further limit the independent claim. The limitation cited in claims 2 and 4 that the system "imposes no limit to the number of said personal computers" has already been stated in claim 1 ("at least three personal computers" and "at least two slave personal computers").

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1, 3, 5, 6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crosetto (U.S. patent # 5,590,284, hereinafter "Crosetto") in view of seti@home (screensaver program, hereinafter "SETI").

In considering claim 1, Crosetto discloses a system for a network of processors, comprising:

at least three processors (col. 5, lines 24-26);

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one processor functioning as a master in a parallel processing or multi-processing operation involving at least two other processors functioning as slaves to said master (col. 5, lines 24-26);

means for master processor to subdivide the operation into two parts and to send parts to slaves for processing (col. 5, lines 50-54);

means for slave processors to process operation and send results back to master when operation is completed (col. 6, lines 36-39).

However, Crosetto fails to disclose the use of personal computers as processors in the network. Nonetheless, the use of personal computers in a processing network is well known, as evidenced by SETI. SETI discloses a system wherein data is sent from a server computer to multiple client personal computers over the Internet for parallel processing operations. After processing, the data is then sent back to the server from the clients (abstract). Given the teaching of SETI, a person having ordinary skill in the art would have readily recognized the desirability and advantages of using the processing system taught by Crosetto with a network as taught by SETI so that parallel processing could be more readily available to all computer users. Therefore, it would be obvious to modify the system taught by Crosetto with the system taught by SETI.

In considering claim 3, SETI further discloses a system that includes as least 1024 personal computers (abstract).

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In considering claim 5, SETI discloses a system that includes at least 256 personal computers (abstract).

In considering claim 6, SETI further discloses a system wherein the network is connected to the Internet (abstract).

In considering claim 8, SETI further discloses a system wherein the network includes at least one network server that participates in the shared computer processing (abstract).

11. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Crosetto and SETI in view of Judson (U.S. patent # 5,572,643, hereinafter "Judson").

Although the combined teaching of Crosetto and SETI discloses substantial features of the claimed invention, it fails to disclose a system as described wherein the network is connected to world wide web. Nonetheless, this is well known, as evidenced by Judson. In a similar art, Judson discloses a network that is connected to the Internet and the world wide web (col. 1, lines 13-21). Therefore, it would be obvious to a person having ordinary skill in the art to include a connection to the world wide web, as taught by Judson, in the system taught by Crosetto and SETI so that Internet users can access graphical displays of the SETI information sites using the world wide web on their personal home computers.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Edelman whose telephone number is (703) 306-3041. The examiner can normally be reached on Monday to Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess, can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7201.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-3900.



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BE

November 15, 1999